HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:23360 OF 2007

Dated: 05.11.2007

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Between:

1. Ch.V. Durga Devi and others.

..Petitioners

And

1. The State of A.P., rep., by its Secretary, Law Dept., Secretariat, Hyderabad and others.

.Respondents.

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HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&

HONOURABLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No:23360 OF 2007

ORDER: (per Hon'ble Smt. Justice T. Meena Kumari)

This is a writ petition filed by the petitioners aggrieved by non-granting of interim relief by the Tribunal as sought for in O.A.No.6380 of 2007.

The petitioners are the applicants before the tribunal. They filed the above O.A. seeking to declare the action of the respondents in finalizing the selections for appointment to the post of Assistant Public Prosecutor on zonal basis instead of State wide merit in pursuance to recruitment Notification in Rc.No.600/R&T/Gen.I/2006, dated 29.12.2006 as arbitrary and illegal and consequently, direct the respondents to review the selections of Assistant Public Prosecutors on State wide merit and on that basis, to consider the applicants' case for appointment with all consequential benefits. The petitioners also sought for an interim direction to the respondents not to issue appointment orders to the candidates in pursuant to the above notification.

The tribunal while admitting the O.A. ordered notice to the respondents and further ordered that any appointment made to the post of Assistant Public Prosecutor shall be subject to further orders in the O.A. Since no interim order has been passed by the Tribunal, the petitioners have approached this Court.

Heard the learned Counsel for the petitioners and the learned G.P. for Services and perused the material available on

record.

Though no interim relief as sought for has been granted by the Tribunal, the order made by the Tribunal while admitting the O.A. that any appointment made to the post of Assistant public Prosecutor shall be subject to the further orders in the O.A., is nothing but an interim order. Therefore, it is needless to observe that in case of success of the petitioners in the O.A., their cases would be considered. Therefore, We have no hesitation to hold that there are no bonafides on the part of the petitioners in approaching this Court at this stage of the proceedings and thereby, order of the tribunal needs no interference. We see no merits in this writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs. However, the tribunal is directed to dispose of the O.A. within a period of three months from the date of receipt of a copy of the order.

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Justice T. Meena Kumari

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Justice G.Chandraiah

Date: 5.11.2007
Gurc/nn

HONOURABLE SMT. JUSTICE T.MEENA KUMARI
&
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(Order delivered by the Hon'ble Smt Justice T. Meena Kumari)

05/11/2007